

Article 10. Business Reporting to CUPAs

§15600. What documents are regulated businesses required to submit to CUPAs?

- (a) A copy of the Business Activities Page and Business Owner/Operator Page (OES Form 2730) shall be submitted with every submission of pages of the Unified Program Consolidated Form (UPCF).
- (b) Regulated businesses are required to meet the reporting requirements of any applicable program element of the Unified Program. Many of those reporting requirements are satisfied by completing sections of either the UPCF, an alternative version [Refer to 15400.3], or a computer generated facsimile.
- (c) Businesses may report to the CUPA electronically, if the CUPA agrees [refer to Section 15187].
- (d) Other documents may also be required by federal and state statutes and regulations or by local ordinance.

Authority cited: Sections 25404(b), (c), (d), and (e) and 25404.6(c), Health and Safety Code. Reference: Sections 25143.10, 25144.6, 25200.3, 25200.14, 25201, 25201.4.1, 25201.5, 25201.13, 25218.2, 25218.9, 25245.4, 25286, 25287, 25503.5, 25505, 25506 and 25509, Health and Safety Code.

HISTORY

1. New article 10 (sections 15600-15620) and section filed 1-8-99 as an emergency; operative 1-8-99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5-10-99 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-8-99 order transmitted to OAL 4-2-99 and filed 5-14-99 (Register 99, No. 20).

§15610. When must regulated businesses use the UPCF and when are business generated facsimiles allowed?

- (a) Regulated businesses shall use either the applicable sections of the UPCF or an alternative version of the UPCF adopted by the CUPA in their jurisdiction, if one is available.
- (b) Regulated businesses may satisfy this requirement by submitting computer-generated facsimile forms. A facsimile of the UPCF shall meet the following specifications:
 - (1) It shall contain all the information required on the UPCF and defined by the data dictionary for those regulated businesses. It shall use the same section format and present the required information in the order and general sequencing on the page as shown on the UPCF. The facsimile form shall be printed on 8 1/2 by 11 inch paper in 'portrait' format. It shall retain all labels and identifiers for the UPCF sections, pages, and subsections. Current page breaks shall be maintained, although a page for supplemental local information may be added between UPCF page breaks.

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(2) It is not required to be an exact copy or to use identical fonts, boxing, shading, or other graphic design elements of the UPCF.

(c) The CUPA shall determine if business-generated facsimiles comply with the requirements of subsection (b). The CUPA may also allow businesses to submit facsimiles of their alternative versions of the UPCF.

(d) To the extent not prohibited by law, the CUPA may assist businesses to revise their information by providing copies of completed reports based on previous submittals. These reports shall be in the general format of the UPCF or the alternative version. A business that revises, certifies, and returns this report to the CUPA satisfies the requirements to complete the appropriate sections of the UPCF. Regulated businesses are not required to use these CUPA generated reports and have the option to submit updated information using the UPCF or a facsimile.

(e) To the extent not prohibited by law, a business subject to the hazardous materials reporting requirements may comply with the annual inventory reporting requirement by submitting a certification statement to the CUPA if both of the following apply:

- (1) The business has previously filed the appropriate pages of the UPCF or an alternative version and
- (2) The business owner or officially designated representative signs and attests to these statements:
 - (A) The information contained in the annual inventory form most recently submitted to the CUPA is complete, accurate, and up to date.
 - (B) There has been no change in the quantity of any hazardous material as reported in the most recently submitted annual inventory form.
 - (C) No hazardous materials subject to the inventory requirements are being handled that are not listed on the most recently submitted annual inventory form.
 - (D) The most recently submitted annual inventory form contains the information required by Section 11022 of Title 42 of the United States Code.

Authority cited: Sections 25404(b), (c), (d), and (e), 25404.6(c), and 25505(d), Health and Safety Code. Reference: Sections 25143.10, 25144.6, 25200.3, 25200.14, 25201, 25201.4.1, 25201.5, 25201.13, 25218.2, 25218.9, 25245.4, 25286, 25287, 25501, 25503.3(b) and (c), 25503.5(c), 25505, 25506 and 25509, Health and Safety Code.

HISTORY

1. New section filed 1-8-99 as an emergency; operative 1-8-99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5-10-99 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-8-99 order transmitted to OAL 4-2-99 and filed 5-14-99 (Register 99, No. 20).

§15620. When must businesses submit, update, amend, revise, or resubmit the UPCF?

(a) Regulated businesses shall comply with the established dates or events that trigger the requirements for businesses to submit information required as part of the Unified

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Program and submitting the appropriate sections of the UPCF, the alternative version, or a computer generated facsimile. A CUPA may establish other specific dates for submission of information consistent with state and federal law.

(b) Different parts of the UPCF, the alternative version, or a computer generated facsimile may be submitted separately. Each submission shall be accompanied by the Business Owner/Operator Identification page and shall be signed with an original signature. The Business Activities page shall also be resubmitted whenever any information reported on it changes.

Authority cited: Sections 25404(b), (c), (d), and (e) and 25404.6(c), Health and Safety Code. Reference: Sections 25143.10, 25144.6, 25200.3, 25200.14, 25201, 25201.4.1, 25201.5, 25201.13, 25218.2, 25218.9, 25245.4, 25286, 25287, 25503.5, 25505, 25506 and 25509, Health and Safety Code.

HISTORY

1. New section, relocation and amendment of appendices A and B from section 15320 to new section 15620, and new appendices C-E filed 1-8-99 as an emergency; operative 1-8-99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5-10-99 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-8-99 order, including amendment of appendix B and repealer and new appendices C-E, transmitted to OAL 4-2-99 and filed 5-14-99 (Register 99, No. 20).